

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X Index No.: CV 07 1215

EDWARD CARTER, FRANK FIORILLO, KEVIN  
LAMM, JOSEPH NOFI and THOMAS SNYDER,

Plaintiffs,

-against-

OCEAN BEACH DEFENDANTS'  
RESPONSE TO PLAINTIFFS'  
FIRST SET OF INTERROGATORIES

INCORPORATED VILLAGE OF OCEAN BEACH;  
MAYOR JOSEPH C. LOEFFLER, JR., individually  
and in his official capacity; former mayor NATALIE  
K. ROGERS, individually and in her official capacity,  
OCEAN BEACH POLICE DEPARTMENT; ACTING  
DEPUTY POLICE CHIEF GEORGE B. HESSE,  
individually and in his official capacity ; SUFFOLK  
COUNTY; SUFFOLK COUNTY POLICE DEPARTMENT;  
SUFFOLK COUNTY DEPARTMENT OF CIVIL SERVICE;  
and ALISON SANCHEZ, individually and in her  
official capacity,

Defendants.

-----X

Defendants, **INCORPORATED VILLAGE OF OCEAN BEACH; MAYOR  
JOSEPH C. LOEFFLER, JR., individually and in his official capacity; former  
mayor NATALIE K. ROGERS, individually and in her official capacity, OCEAN  
BEACH POLICE DEPARTMENT and ACTING DEPUTY POLICE CHIEF GEORGE B.  
HESSE, individually and in his official capacity,** serves its response to Plaintiffs'

First Set of Interrogatories as follows:

1. The person's with knowledge of the allegations in the complaint are the  
named defendants, the plaintiffs and Edward Paradisio.
2. The person's with knowledge of the allegations and defenses in this case are  
the named defendants, the plaintiffs and Edward Paradisio.

3. The persons involved with the decision to hire each plaintiff was the Suffolk County Civil Service Commission and the Ocean Beach Board of Trustees.
4. As the plaintiff's were seasonal workers, their employment terminated at the end of each season pursuant to the regulations of Suffolk County Civil Service Commission.
5. As the plaintiff's were seasonal workers, their employment terminated at the end of each season pursuant to the regulations of Suffolk County Civil Service Commission.
6. The Ocean Beach defendants and Edward Paradisio had knowledge of any and all complaints made against the plaintiff's and all written complaints have been provided in the document production of the defendants.
7. The terms and conditions of employment were set by the Suffolk County Civil Service Commission and followed and executed by the Ocean Beach Board of Trustees.
8. The plaintiffs direct supervisor was George Hesse and Edward Paradisio.
9. The persons involved with the decision to hire employees were the Suffolk County Civil Service Commission and the Ocean Beach Board of Trustees.
10. Objection. This demand is over broad, unduly burdensome, not relevant and are not reasonably calculated to lead to the discovery of admissible evidence.
11. Objection. The term "standards of conduct" are not defined.
12. There is a policy in place that prohibits the consumption of alcoholic

beverages by officers on duty.

13. Objection. This demand is over broad, unduly burdensome, not relevant and are not reasonably calculated to lead to the discovery of admissible evidence.

14.

15. All summonses have been provided in the Document Production of the defendant and approximately total the following for each plaintiff:

Carter - 44

Nofi - 325

Fiorello - 350

Snyder - 38

Lamm - 296

16. The persons responsible for investigating the events of October 31, 2004 include the plaintiffs that were present, George Hesse and Edward Paradisio.

All documents relating to said incident have been provided under the

Document Production of the defendants.

17. Objection. This demand is over broad, unduly burdensome, not relevant and are not reasonably calculated to lead to the discovery of admissible evidence.

18. Objection. This demand is over broad, unduly burdensome, not relevant and are not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objection, there is no back-up system on any of the computers used by Ocean Beach except for the computer used for the

finance department.

19. All officers are hired pursuant to the rules and qualifications of the Suffolk County Civil Service Department.

20. The persons involved with the decision to hire employees were the Suffolk County Civil Service Commission and the Ocean Beach Board of Trustees.

The day to day operations of the Ocean Beach Police Department were carried out by George Hesse and Edward Paradisio.

21. None.

22. Mayor Joseph C. Leoffler, Jr. Had no role in the operations of the police department other than as a member of the Board of Trustees and currently as Mayor of the village.

23. The Suffolk County Civil Service Commission and the Ocean Beach Board of Trustees.

24. No expert has been retained in this matter at this time.

25. The defendants have not yet made a determination of fact witnesses that will be called in this case other than the defendants and the plaintiffs

Dated: East Norwich, New York  
November 9, 2007

Yours, etc.,

LAW OFFICES OF VINCENT D. McNAMARA  
Attorneys for Defendants  
INCORPORATED VILLAGE OF OCEAN BEACH;  
MAYOR JOSEPH C. LOEFFLER, JR., individually  
and in his official capacity; former mayor  
NATALIE K. ROGERS, individually and in her  
official capacity, OCEAN BEACH POLICE

DEPARTMENT; ACTING DEPUTY POLICE CHIEF  
GEORGE B. HESSE, individually and in his  
official capacity

BY:

  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

EDWARD CARTER, FRANK FIORILLO, KEVIN LAMM, JOSEPH NOFI and THOMAS SNYDER,

Plaintiffs,

-against-

INCORPORATED VILLAGE OF OCEAN BEACH; MAYOR JOSEPH C. LOEFFLER, JR., individually and in his official capacity;  
former mayor NATALIE K. ROGERS, individually and in her official capacity, OCEAN BEACH POLICE DEPARTMENT; ACTING  
DEPUTY POLICE CHIEF GEORGE B. HESSE, individually and in his official capacity; SUFFOLK COUNTY; SUFFOLK  
COUNTY POLICE DEPARTMENT; SUFFOLK COUNTY DEPARTMENT OF CIVIL SERVICE; and ALISON SANCHEZ,  
individually and in her official capacity,

Defendants.

**OCEAN BEACH DEFENDANTS'  
RESPONSE TO PLAINTIFFS'  
FIRST SET OF INTERROGATORIES**

Signature

ANTHONY MARINO, ESQ.

**LAW OFFICE OF VINCENT D. McNAMARA**

Attorneys for Defendants

*INCORPORATED VILLAGE OF OCEAN BEACH; MAYOR JOSEPH C. LOEFFLER, JR., individually and in his official capacity;  
former mayor NATALIE K. ROGERS, individually and in her official capacity, OCEAN BEACH POLICE DEPARTMENT; ACTING  
DEPUTY POLICE CHIEF GEORGE B. HESSE, individually and in his official capacity*

Tower Square -1045 Oyster Bay Road - Suite 1  
East Norwich, New York 11732  
516-922-9100

To

Attorney(s) for

Service of a copy of the within is hereby admitted.

Dated: \_\_\_\_\_

Attorney(s) for

( ) **NOTICE OF ENTRY:** PLEASE take notice that the within is a (certified) true copy of an ORDER duly entered in the office of  
the clerk of the within named court on

Dated:

To:

Attorney(s) for

( ) **NOTICE OF SETTLEMENT:** PLEASE take notice that an order of which the within is a true copy will be presented for  
settlement to the Hon. \_\_\_\_\_ one of the judges of the within named Court, at

Dated:

To:

Attorney(s) for

Yours, etc.

**LAW OFFICE OF VINCENT D. McNAMARA**  
Attorneys for Defendants: ABOVE NAMED